

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A No.32/98

Date of order: 6.11.2000

Behari Lal, S/o late Shri Bhajan Lal, R/o Plot No.101, Green Abhinav Nagar, Ajmer Road, Jaipur, retired as Line Inspector.

...Applicant.

Vs.

- 1. Union of India through Secretary, Deptt, Telecom, Deptt. Telecommunication, Mini. of Communications, New Delhi.
- 2. Chief General Manager Telecommunication Rajasthan Circle, Jaipur.
- 3. General Manager, Telecommunication District, Jaipur.

...Respondents.

Mr.C.B.Sharma - Counsel for applicant.

Mr.V.S.Gurjar - Counsel for respondents

CORAM:

Hon'ble Mr.S.K.Agarwal, Judicial Member

Hon'ble Mr.Gopal Singh, Administrative Member

PER HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER.

In this Original Application under Sec.19 of the Administrative Tribunals Act, 1985, the prayer of the applicant is to quash and set aside the order Annx.A1 by which the applicant was asked to pay Rs.7601/- as penal rent for Qtr. No.B-101 w.e.f. 1.2.95 to 15.8.95.

2. It is an admitted fact that the applicant after retirement has vacated the said Quarter on 15.8.95. It also appears that the applicant has requested the respondents' department to accord permission on normal rent w.e.f. 1.2.95 till September 1995, by two separate applications, But the prayer of the applicant was considered by the respondents and rejected.

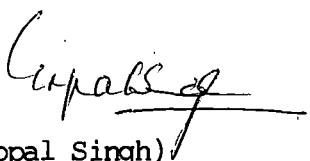
3. The counsel for the applicant has drawn our attention towards the rules for granting permission for the accommodation after retirement in which it has been specifically stated that on retirement, on payment of normal licence fee for 4 months period is admissible and thereafter in special circumstances like education of children, medical ground, etc, permission for further 4 months can be granted. But it appears that the

applicant's applications for grant of permission to retain the quarter after his retirement has not been considered by the department in the proper prospective.

4. The learned counsel for the applicant submits that the applicant is ready to file fresh representation though he has earlier filed applications to this effect,

5. In view of the submissions made before us by the learned counsel for the applicant, we direct respondent No.3, if the applicant files a fresh representation within a period of one month from the date of passing of this order, the case of the applicant may be considered sympathetically in view of the instructions of the government, issued from time to time, within a period of two months from the date of receipt of the representation. In case, the applicant feels aggrieved against the disposal of the representation, he will be at liberty to approach the proper forum if so advised.

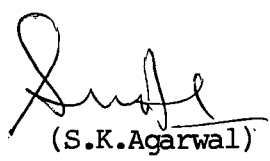
6. With the above directions, the O.A is disposed of accordingly with no order as to costs.



(Gopal Singh)

Member (A).

12



(S.K. Agarwal)

Member (J).